



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

95  
#10 12-16-03  
IDS/Statement

In re application of:

**Stephen Ian Mann**

Appl. No.: 10/089,517  
(U.S. Nat'l Stage of PCT/NZ00/00189;  
I.A. Filed: September 29, 2000)

§ 371 Date: April 2, 2003

For: **EER Transmitters**

Confirmation No.: 7824

Art Unit: 3662

Examiner: *To Be Assigned*

Atty. Docket: 2068.0030000  
(0382.1450000)

### Second Supplemental Information Disclosure Statement

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

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Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not

exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

Applicants have checked the appropriate boxes below.

- ☐ 1. Statement under 37 C.F.R. 1.704(d). Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this information disclosure statement.
- ☒ 2. Filing under 37 C.F.R. § 1.97(b). This Information Disclosure Statement is being filed within three months of the date of filing of a national application other than a continued prosecution application (CPA), OR within three months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application, OR before the mailing date of a first Office Action on the merits OR before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114. No statement or fee is required.
- ☐ 3. Filing under 37 C.F.R. § 1.97(c). This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection, or Notice of Allowance, or an action that otherwise closes prosecution in the application.
  - ☐ a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).
  - ☐ b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to

my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).

- ☐ c. Attached is our PTO-2038 Credit Card Payment Form for \$ \_\_\_\_\_ in payment of the fee under 37 C.F.R. § 1.17(p).
- ☐ 4. Filing under 37 C.F.R. § 1.97(d) This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. Attached is our PTO-2038 Credit Card Payment Form for \$ \_\_\_\_\_ in payment of the fee under 37 C.F.R. § 1.17(p); in addition:
  - ☐ a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).
  - ☐ b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
- ☒ 5. **The documents were cited in a search report by a foreign patent office in a foreign application that shares a common inventor. One of the documents cited on the search report (GB 2 283 629 A) has already been cited in a prior-filed Information Disclosure Statement (July 3, 2003) and is not cited again here. A copy of the search report is enclosed as document AR1 on the attached Form PTO-1449.**
- ☐ 6. A concise explanation of the relevance of the non-English language document(s) appears below:

- ☐ 7. Copies of the documents were cited by or submitted to the Office in an IDS that complies with 37 C.F.R. § 1.98(a)-(c) in Application No. \_\_\_\_\_, filed \_\_\_\_\_, which is relied upon for an earlier filing date under 35 U.S.C. § 120. Thus, copies of these documents are not attached. 37 C.F.R. § 1.98(d).

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Donald J. Featherstone  
Attorney for Applicant  
Registration No. 33,876

Date: 11/19/03

1100 New York Avenue, N.W.  
Washington, D.C. 20005-3934  
(202) 371-2600

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FORM PTO-1449

ATTY. DOCKET NO.  
2068.0030000 (0382.1450000)

APPLICATION NO.  
10/089,517

SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

APPLICANT  
Stephen Ian Mann

§ 371 DATE  
April 2, 2003

GROUP  
3662



**U.S. PATENT DOCUMENTS**

| EXAMINER<br>INITIAL |     | DOCUMENT<br>NUMBER | DATE | NAME | CLASS | SUB-CLASS | FILING DATE |
|---------------------|-----|--------------------|------|------|-------|-----------|-------------|
|                     | AA1 |                    |      |      |       |           |             |
|                     | AB1 |                    |      |      |       |           |             |
|                     | AC1 |                    |      |      |       |           |             |
|                     | AD1 |                    |      |      |       |           |             |
|                     | AE1 |                    |      |      |       |           |             |
|                     | AF1 |                    |      |      |       |           |             |
|                     | AG1 |                    |      |      |       |           |             |
|                     | AH1 |                    |      |      |       |           |             |
|                     | AI1 |                    |      |      |       |           |             |
|                     | AJ1 |                    |      |      |       |           |             |
|                     | AK1 |                    |      |      |       |           |             |

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**FOREIGN PATENT DOCUMENTS**

| EXAMINER<br>INITIAL |     | DOCUMENT<br>NUMBER | DATE    | COUNTRY        | CLASS | SUB-CLASS  | TRANSLATION |
|---------------------|-----|--------------------|---------|----------------|-------|------------|-------------|
|                     | AL1 | 2 272 589 A        | 05/1994 | United Kingdom | H03F  | 1/32, 1/34 | Yes<br>No   |
|                     | AM1 | 2 329 538 A        | 03/1999 | United Kingdom | H03F  | 1/32       | Yes<br>No   |
|                     | AN1 | 2 345 599 A        | 07/2000 | United Kingdom | H03F  | 1/32       | Yes<br>No   |
|                     | AO1 | 2 349 528 A        | 11/2000 | United Kingdom | H03F  | 1/32       | Yes<br>No   |
|                     | AP1 | 2 352 570 A        | 01/2001 | United Kingdom | H03F  | 1/32       | Yes<br>No   |

**OTHER (Including Author, Title, Date, Pertinent Pages, etc.)**

|  |    |   |  |
|--|----|---|--|
|  | AR | 1 | Copy of Search Report for Appln. No. GB 0104535.0, November 30, 2001 (date of search), 1 page. |
|  | AS | 1 |  |
|  | AT | 1 |  |

EXAMINER

DATE CONSIDERED

**EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.